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Date March 17, 2011

To: Examiner Golam Mowla, Art Unit 1723

Of: United States Patent and Trademark Office

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From: Michael G. Raucci

Subject **INTERVIEW AGENDA**

**FOR INTERVIEW SCHEDULED MARCH 21, 2011 INTERVIEW AT 3:00 PM**

**U.S. APPLICATION NO. 10/529,818**

Attorney Q87174

Pages 4 (including cover sheet)

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**Attorney Docket Q87174**

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Set forth below is an Interview Agenda for our telephone interview scheduled for Monday, March 21, 2011, at 3:00 pm.

***Proposed Claim Amendment***

1. (currently amended): A photoelectric conversion element, comprising:  
an electrode substrate, which includes:
  - a base material;
  - a transparent conductive layer which is provided on the base material; and
  - a metal circuit layer which is formed on the transparent conductive layer,  
wherein the metal circuit layer is covered by an insulating layer;an oxide semiconductor porous film provided on a side of the electrode substrate where the transparent conductive layer is provided;
  - a sensitizing dye provided in the oxide semiconductor porous film;
  - a counter electrode, which has a different constitution from the electrode substrate and which is placed facing the oxide semiconductor porous film; and
  - an electrolyte layer or charge transfer layer, which is provided between the counter electrode and the electrode substrate above which the oxide semiconductor porous film is formed,  
wherein
    - the transparent conductive layer contacts the metal circuit layer inside of the insulating layer ~~and~~, the transparent conductive layer physically contacts an electrolyte solution via the oxide semiconductor porous film ~~and~~, at least a part of the oxide semiconductor porous film directly contacts the transparent conductive layer outside of the insulating layer, and  
a metal circuit layer is not provided on the counter electrode.

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Independent claims 6, 27 and 34 would be amended similarly.

More specifically, Applicants propose to amend independent claims 1, 6, 27 and 34 to include a feature of dependent claims 35, 38, 40 and 44, to provide that “a metal circuit layer is not provided on the counter electrode”.

Claims 35, 38, 40 and 44 recited a feature that “the counter electrode is not provided with a metal circuit layer”. However, this recitation has been changed for purposes of further clarity to “a metal circuit layer is not provided on the counter electrode” in view of the embodiment(s) shown in FIGS. 1A, 12D, and 25 of the present application.

The dependent claims 35, 38, 40 and 44 would then be canceled.

***The Examiner's Indefiniteness Rejection***

Applicants submit that the rejections under 35 U.S.C. § 112, second paragraph, are overcome by the proposed amendments.

In the regard, Applicants submit that the recitation “a metal circuit layer” in line 2 of the previous Claims 35, 38, 40, and 44 does not further limit the citation “a metal circuit layer which is formed on the transparent conductive layer ” in Claim 1. Accordingly, “a metal circuit layer” in line 2 of the previous Claims 35, 38, 40, and 44 does not need antecedent basis.

***Explanation of Differences Between Proposed Claims and Applied Prior Art***

The Examiner stated in the final Office Action that reference numeral 6 (hereinafter counter electrode 6) of Kurth (WO 00/48212) corresponds to the counter electrode 4 of the present application, whereby independent claims 1, 6, 27, and 34 of the present application are

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allegedly obvious by combining Wariishi et al. (U.S. Patent No. 6,376,765) and Mohri et al. (U.S. Patent No. 4,396,682).

However, if counter electrode 6 of Kurth corresponds to the counter electrode 4 of the present application, conductor lead 8 of Kurth is provided on the counter electrode 6 (conductive layer 6) of Kurth. Accordingly, Kurth is patentably distinct from the amended claims 1, 6, 27, 34 wherein "a metal circuit layer is not provided on the counter electrode" since conductor lead 8 of Kurth corresponds to a metal circuit layer of the present application.

Since "a metal circuit layer is not provided on the counter electrode", the counter electrode 4 of the present application can move closer to the surface of the oxide semiconductor porous film 2. The closer the counter electrode 4 is located to the electrode substrate 1, the less resistance the electrons, which exist between the counter electrode 4 and the electrode substrate 1. According, a more efficient photoelectric conversion can be made possible.

Michael Raucci  
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